

APR 2006 23 JAN 2006

MAIL STOP PCT

Attorney Docket: 2714

Date: January 23, 2006

10/565525

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCHMIDT

Serial No.: Not Yet Assigned

Filed: January 23, 2006

International Application No.: PCT/EP2004/051679

International Filing Date: 30 July 2004 (30.07.2004)

Title: NOVEL 6-PHENYLPHENANTHRIDINES

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US)  
Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/012252 A1, with  
PCT/ISA/210 (International Search Report); International  
Publication Date: 10 February 2005 (10.02.2005), which consists  
of 36 pages:  
    2 pages for the Cover Sheet,  
    29 pages of Textual Specification,  
    5 pages of 11 Claims,  
    0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A and B to be Examined;
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching  
Authority);
- 7) PCT/RO/101 (PCT Request);
- 8) Check No.: 1549 in the Amount of \$ 900.00 for Basic Filing Fee,  
which includes the Search and Examination Fees, as a Large  
Entity;
- 9) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

**NATH & ASSOCIATES PLLC**  
112 South West Street,  
Alexandria, VA 22314  
GMN/SMM/le (Nat'l Phase Application)

Attorney Docket: 27147U

MAIL STOP PCT

U.S. Department Of Commerce, Patent And Trademark Office		Date: January 23, 2006
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No. <b>30045525</b> (if known) Not Yet Assigned
International Application No.: <b>PCT/EP2004/051679</b>	International Filing Date: 30 July 2004 (30.07.2004)	Priority Date Claimed: 31 July 2003 (31.07.2003) EP
Title of Invention: NOVEL 6-PHENYLPHENANTHRIDINES		
Applicants for DO/EO/US: SCHMIDT, Beate		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.      2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.      3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.      4. <input checked="" type="checkbox"/> The US has been elected (Article 31).      5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):          a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).          b. <input type="checkbox"/> has been communicated by the International Bureau.          c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)      6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).      7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))          a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).          b. <input type="checkbox"/> have been communicated by the International Bureau.          c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.          d. <input checked="" type="checkbox"/> have not been made and will not be made.      8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).      9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).      10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.      12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.      13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.      14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment      15. <input type="checkbox"/> A substitute specification.      16. <input type="checkbox"/> A change of power of attorney and/or address letter.      17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825      18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)      19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)      20. <input checked="" type="checkbox"/> Other items or information:          TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/012252 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 10 FEBRUARY 2005 (10.02.2005), WHICH CONSISTS OF 36 PAGES: 2 PAGES FOR THE COVER SHEET, 29 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 11 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A AND B TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

Attorney Docket: 27147U

MAIL STOP PCT

U.S. Application Number: <b>10/1565525</b>	International Application Number: PCT/EP2004/051679	Date: January 23, 2006																																																																								
<p>The following fees are submitted:</p> <p>21. Basic National Fee (37 CFR 1.492(a)) ..... \$ 300.00</p> <p>22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 All other situations ..... \$ 200.00</p> <p>23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$ 400.00 All other situations ..... \$ 500.00</p> <p>— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p> <p><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>																																																																										
<p><b>CALCULATIONS</b></p> <p>\$ 300.00</p> <p>\$ 200.00</p> <p>\$ 400.00</p> <p>\$ 900.00</p>																																																																										
<p><b>PTO USE ONLY</b></p>																																																																										
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>																																																																										
<p>\$ 0.00</p>																																																																										
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER: FILED</th> <th>NUMBER: EXTRA</th> <th>RATE</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>9-20=</td> <td>0</td> <td>X \$ 50.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td>INDEPENDENT</td> <td>1-3=</td> <td>0</td> <td>X \$ 200.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td>Multiple dependent claims(s) (if applicable)</td> <td></td> <td></td> <td>+ \$360.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 900.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>SUBTOTAL =</b></td> <td>\$ 900.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE =</b></td> <td>\$ 900.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ 900.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>Amount to be: refunded charged</td> <td>\$</td> </tr> </tbody> </table>			CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE			TOTAL	9-20=	0	X \$ 50.00	\$ 0.00		INDEPENDENT	1-3=	0	X \$ 200.00	\$ 0.00		Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00		<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900.00		Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00		<b>SUBTOTAL =</b>				\$ 900.00		Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00		<b>TOTAL NATIONAL FEE =</b>				\$ 900.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00		<b>TOTAL FEES ENCLOSED =</b>				\$ 900.00						Amount to be: refunded charged	\$
CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE																																																																							
TOTAL	9-20=	0	X \$ 50.00	\$ 0.00																																																																						
INDEPENDENT	1-3=	0	X \$ 200.00	\$ 0.00																																																																						
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00																																																																						
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900.00																																																																						
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00																																																																						
<b>SUBTOTAL =</b>				\$ 900.00																																																																						
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00																																																																						
<b>TOTAL NATIONAL FEE =</b>				\$ 900.00																																																																						
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00																																																																						
<b>TOTAL FEES ENCLOSED =</b>				\$ 900.00																																																																						
				Amount to be: refunded charged	\$																																																																					

Attorney Docket: 27147U

MAIL STOP PCT

U.S. Application Number: (if known): Not Yet Assigned	International Application Number: PCT/EP2004/051679	Date: January 23, 2006
----------------------------------------------------------	--------------------------------------------------------	------------------------

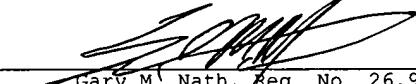
**10/565525**

- a.  One check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card \_\_\_\_\_. WARNING: Information on this form may become public \_\_\_\_\_. Credit Card Information should not be included on this form.  
\_\_\_\_\_  
Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
 112 South West Street,  
 Alexandria, VA 22314  
 Tel: 1-703-548-6284  
 Fax: 1-703-683-8396



Gary M. Nath, Reg. No. 26,965  
 Sheldon M. McGee, Reg. No. 50,454  
 Customer No. 34375